

Reporting on ILO Conventions and Recommendations

- Conventions, Protocols and Recommendations
 - **Conventions:** Legally binding upon ratification
 - **Protocols:** Add contents to a Convention, subject for ratification
 - **Recommendations:** Not legally binding, compliments Conventions with additional details and suggested implementation measures
 - Text of Conventions and Recommendations: <http://www.ilo.org/dyn/normlex/en/f?p=1000:12000:::NO::>
 - List of Conventions ratified by each country, visit www.ilo.org/normlex, and click “Country profile”
- Three types of reports on Conventions and Recommendations, all obligatory under the ILO Constitution.
 - Reporting on Conventions ratified by your country (ILO Constitution Article 22 – “Article 22 reports”)
 - Reporting on unratified Conventions and Recommendations (ILO Constitution Article 19(5)(e) and Article 19(6)(d) – “Article 19 report”)
 - Reporting on submission of ILO Conventions and Recommendations to Parliament (ILO Constitution Article 19(5)(b) and Article 19(6)(b))
- Two bodies that deal with reports sent from each country
 - Committee of Experts on the Application of Conventions and Recommendations (CEACR)
 - Consisting of independent legal experts (not ILO officials, often judges and professors)
 - Meets once a year (November – December) to deal with all reports
 - Issues comments – Observations are more serious
 - Observations: points of non-conformity, progress in implementation
 - Direct Requests: Requests for more information
 - Committee on the Application of Standards (CAS)
 - A body under the International Labour Conference – Membership is tripartite
 - Meets during the ILC (June) and discuss based on the report of the CEACR
 - Serious cases of violation of Conventions (individual cases)
 - How reporting obligations are fulfilled by countries
 - Issues Conclusions
- What happens if reports are not sent – Countries’ names appear in CEACR and CAS reports
 - CEACR report: Report III (Part 1A), Part I, Chapter II “Compliance with standards-related obligations” (Look for report 1A in a Collection is available at: <http://www.ilo.org/public/libdoc/ilo/P/09661/>)
 - CAS report: Part One, General Report, Section E “Compliance with specific obligations” (Collection is available at: http://www.ilo.org/global/standards/information-resources-and-publications/WCMS_190528/lang--en/index.htm)
 - Names do not appear right away. They appear after repeated failure to report.
- Reporting on **ratified** Conventions (Article 22 report)
 - **Why report**
 - To report how a member State is implementing its legal obligations under ILO Conventions
 - To avail of any necessary technical assistance by informing the current situation
 - **What to report**
 - How Conventions are applied through national law and various programmes (detailed report)
 - Information requested by CEACR, any updates on national laws, policies and programmes (simplified report)

- **How to report**
 - Use report forms prepared for each Convention (available at: <http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:14002:0::NO::>)
 - Check CEACR comments - visit www.ilo.org/normlex, and click “Country profile”.
- **When to report**
 - Reporting cycle: every 3 years for fundamental Conventions (core Conventions), every 5 years for other Conventions
 - If a report is late, it may be examined in the following year. Deadline for reporting is between 1 June and 1 September of every year
 - If a report is not sent, it will be requested in the following year.
 - Sometimes CEACR requests a special report (out-of-cycle report)
 - Reports due for a particular year can be checked on the NORMLEX database (visit www.ilo.org/normlex, see under “Country profile”)
- Reporting on **unratified** Conventions and/or **Recommendations** (“Article 19 report”)
 - **Why report**
 - To promote ratification of Conventions and better implementation of Recommendations as this reporting provides an opportunity to review laws and regulations of your country
 - The results are compiled into a document called “General Survey”, a useful reference as the Survey explains Conventions or Recommendations in question.
 - Collection from 1985 available at: http://www.ilo.org/global/standards/information-resources-and-publications/WCMS_164145/lang--en/index.htm
 - **What to report**
 - Laws and practice concerning Conventions unratified by your country and/or any relevant Recommendations (i.e. reporting is obligatory for all countries)
 - Only one report on a subject matter is requested every year. Since this reporting is by subjects, each reporting usually deals with multiple Conventions and Recommendations
 - **How to report**
 - Use a report form prepared specifically for each report, i.e. changes every year (available at: <http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:14002:0::NO::>)
 - **When to report**
 - Request is sent around July every year
 - Deadline for reporting is usually end-February of the following year
- Reporting on submitting ILO Conventions and Recommendations to Parliament
 - **Why report**
 - To promote implementation of Conventions and Recommendations by ensuring that the legislature is informed of these instruments
 - **What to report**
 - Which instruments were submitted to Parliament
 - Any decision or reaction by Parliament upon submission
 - **How to report**
 - Answer the questionnaire contained in Memorandum concerning submission (available at: http://www.ilo.org/global/standards/information-resources-and-publications/WCMS_087324/lang--en/index.htm)
 - **When to report**
 - Instruments must be submitted within 12-18 months after adoption at the ILC.